

REMARKS

This Amendment is in response to the Office Action mailed on March 3, 2004. Claims 5-6, 11, 13, 16, 18-19, 30-31, 38, 46, 49, 51-52, 69, 77, 80, 82-83, 116-117, 121, 130 and 133 have been editorially amended. Claim 98 has been amended to incorporate the subject matter of cancelled claim 99. Accordingly, no new subject matter has been added. Applicants submit that in view of the above amendments and the following remarks the pending claims are in condition for allowance.

I. Formal Objections

A. Drawings Objections

The drawings were objected to because Figures 1, 4, and 6 were not fully illustrated. In response Figures 1, 4, and 6 have been amended to fully illustrate the figures. In addition, Figures 2, 3, and 5 have also been amended to correct typographical and formatting errors. Please refer to the annotated sheets for further details. Applicants assert that the objection to the drawings is traversed.

B. Specification Objections

The abstract was objected to for the inclusion of legal terminology and for including implied phrases. The abstract has been amended accordingly.

The disclosure was objected to for failing to include a brief summary of the invention. In response, the disclosure has been reorganized accordingly. The objections are traversed.

C. Claim Objections

Claims 19, 52, and 83 were objected to for including typographical errors. In response the claims have been amended to correct the errors. The objections are traversed.

In addition claims 5-6, 11, 30-31 38, 69, 116-117, 130 and 133 have also been amended to correct technical errors and to further clarify the subject matter claimed.

II. Claim Rejections

A. Double Patenting Rejections

Claims 1-136 were provisionally rejected as being obvious over claims 1-81 of copending Application No. 09/654,822 and claims 1-25 of copending Application No. 09/654,801. In response terminal disclaimers to both copending Applications are being filed herewith. Applicants assert that the double patenting rejections are traversed.

B. Indefiniteness Rejections

Claims 13, 16-18, 46, 49-51, 67, 77, 81-82, 106 and 121 were rejected for lacking sufficient antecedent basis for particular claim features. In response, claims 13, 16, 18, 46, 49, 51, 77, 80, 82, and 121 have been amended accordingly. Applicants assert that the indefiniteness rejections are traversed.

C. Anticipation Rejections

Claims 1-4, 8-11, 19-21, 27-31, 34-37, 41-44, 52-54, 60-64, 67-68, 72-73, 83-85-, 91-95, 98-99, 101-102, 108-109, 113-116, 122-124, and 130-134 were rejected under 35 U.S.C. § 102(e) as being anticipated by Eichstaedt et al. (US 6,381,594). This rejection is traversed.

Claims 1, 34, and 67 relate to a method for real time searching that includes, among other steps, the steps of receiving a client query and matching it against a portion of a plurality of extracted terms to generate a query result. The extracted terms are extracted out of a plurality of information packets that are either provided by, or representative of, a plurality of information sources. The extracted terms are stored in a storage means that is configured to allow fast insertion and fast deletion of content. Eichstaedt et al. fail to disclose or suggest at least the above subject matter.

In particular, Eichstaedt et al. fail to disclose or suggest extracting and storing terms from real time *information sources*. Instead, Eichstaedt et al. are focused on a system and method for forming a compact representation of user queries (i.e., receiving user queries and generating a master query). See the Abstract, Summary of the Invention section, and Figures 1-7 of Eichstaedt et al. With respect to manipulation of the information to be searched, Eichstaedt et al. simply disclose that the incoming documents are filtered to remove duplicate words before matching. See Eichstaedt et al. at column 5, lines 38-44 and at column 10, lines 7-30. It follows

that Eichstaedt et al. also fail to disclose or suggest storing extracted terms from the information sources. The text is referenced in the outstanding Office Action for support that extracted terms are stored in a storage means (i.e., column 3, lines 14-15) relates to storing the search results, rather than extracted terms from the *information sources*. Accordingly, claims 1, 34, and 67 are not anticipated. Claims 2-4, 8-11, 19-21, 27-31, 35-37, 41-44, 52-54, 60-64, 68, 72-73, 83-85, and 91-95 depend on and further limit one of the above claims, therefore, they are not anticipated for at least the same reasons.

Claim 98 recites to a system for real time search that includes, among other things, an information packet processor for receiving an information packet and for processing the information packet to generate at least one extracted term. Claim 98 also recites a storage means for temporarily storing information representative of a reception of the extracted term. The discussion regarding method claims 1, 34, and 37 equally supports the position that Eichstaedt et al. also fail to disclose or suggest the claimed processor and storage means. Accordingly, claim 98 is not anticipated. Claims 99, 101-102, 108-109, 113-116, 122-124, and 130-134 depend on and further limit claim 98, therefore, they are not anticipated for at least the same reasons.

D. Obviousness Rejections

Claims 16-18, 49-51, 80-82, and 121 were rejected under 35 U.S.C. § 103(a) as being obvious over Eichstaedt et al. in further view of Ounis. Claims 5-7, 12-15, 38-40, 45-48, 69-71, 74-79, 103-107, 110-112, and 117-120 were rejected under 35 U.S.C. § 103(a) as being obvious over Eichstaedt et al. and further in view of Diamond (US 6,269,368). Claims 22-26, 55-59, 86-90, 100, and 125-129 were rejected under 35 U.S.C. § 103(a) as being obvious over Eichstaedt et al. in view of Chidlovskii et al. (US 6,327,590). Claims 32-33, 65-66, 96-97, and 135-136 were rejected under 35 U.S.C. § 103(a) as being obvious over Eichstaedt et al. and in further view of Fox et al. (US 6,574,632). The above rejections are traversed.

None of the above-cited references disclose extracting and storing terms from source information to enable real time searching according to the above-discussed independent claims. Accordingly, they do not cure the defects of Eichstaedt et al.

In addition, one of ordinary skill in the art would not have combined Eichstaedt et al. with Ounis. Ounis relates to a complex method for representing a single document. See Ounis

at page 397. In real time there would be no time to apply such a method, therefore, Ounis is not combinable with real time searching systems.


Diamond and Fox are also not combinable with Eichstaedt et al. Diamond relates to generating alternative representations of stored documents and Fox relates to mathematical representation of documents. Combining the alternative representation of Diamond and the mathematical representation of Fox with Eichstaedt et al., if possible, would at least not be obvious. Even if combined, the result would not arrive at the present invention.

In view of the above amendments and remarks, Applicants respectfully request a Notice of Allowance. If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.

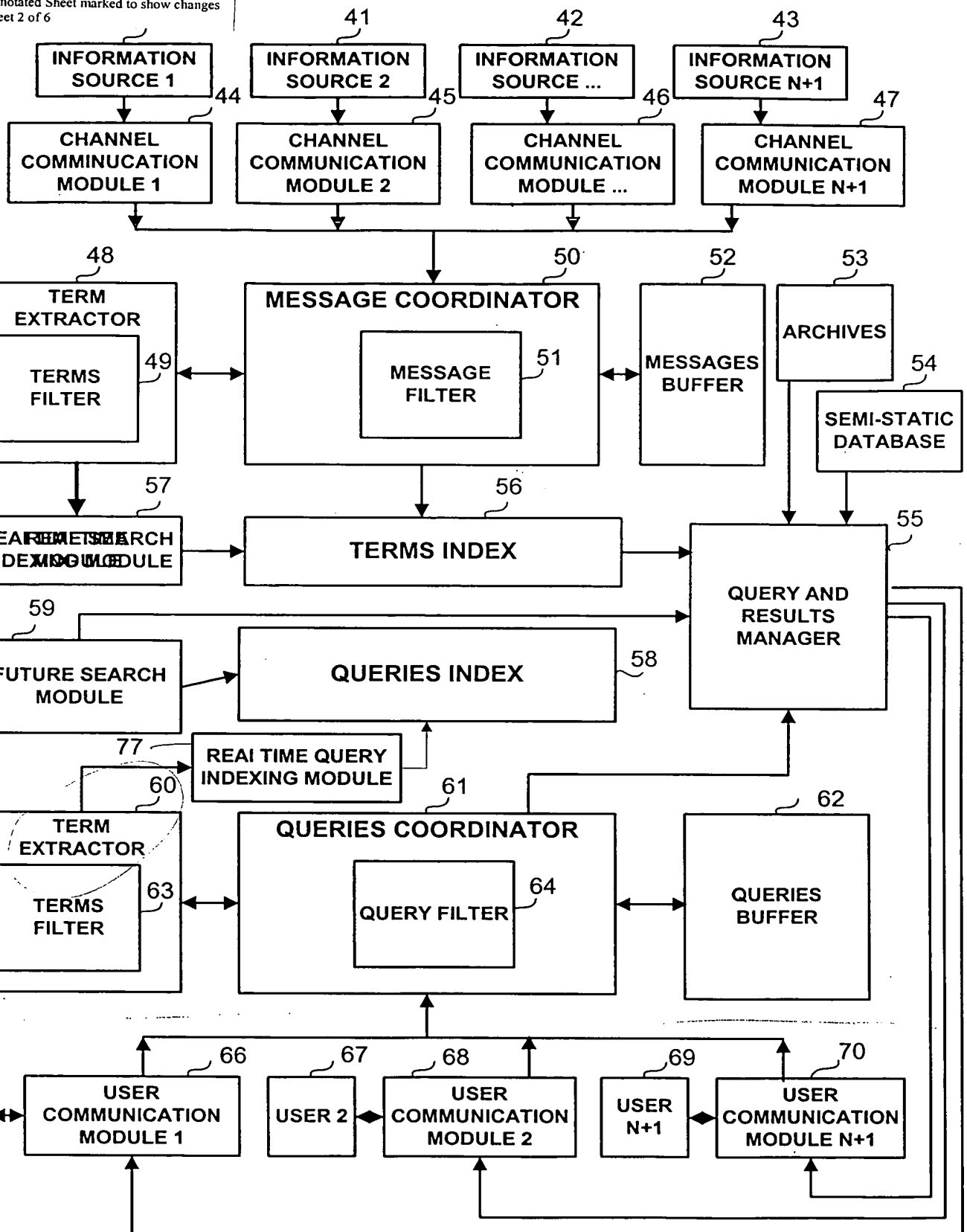
Respectfully submitted,

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903
(612) 332-5300

Date: September 27, 2004

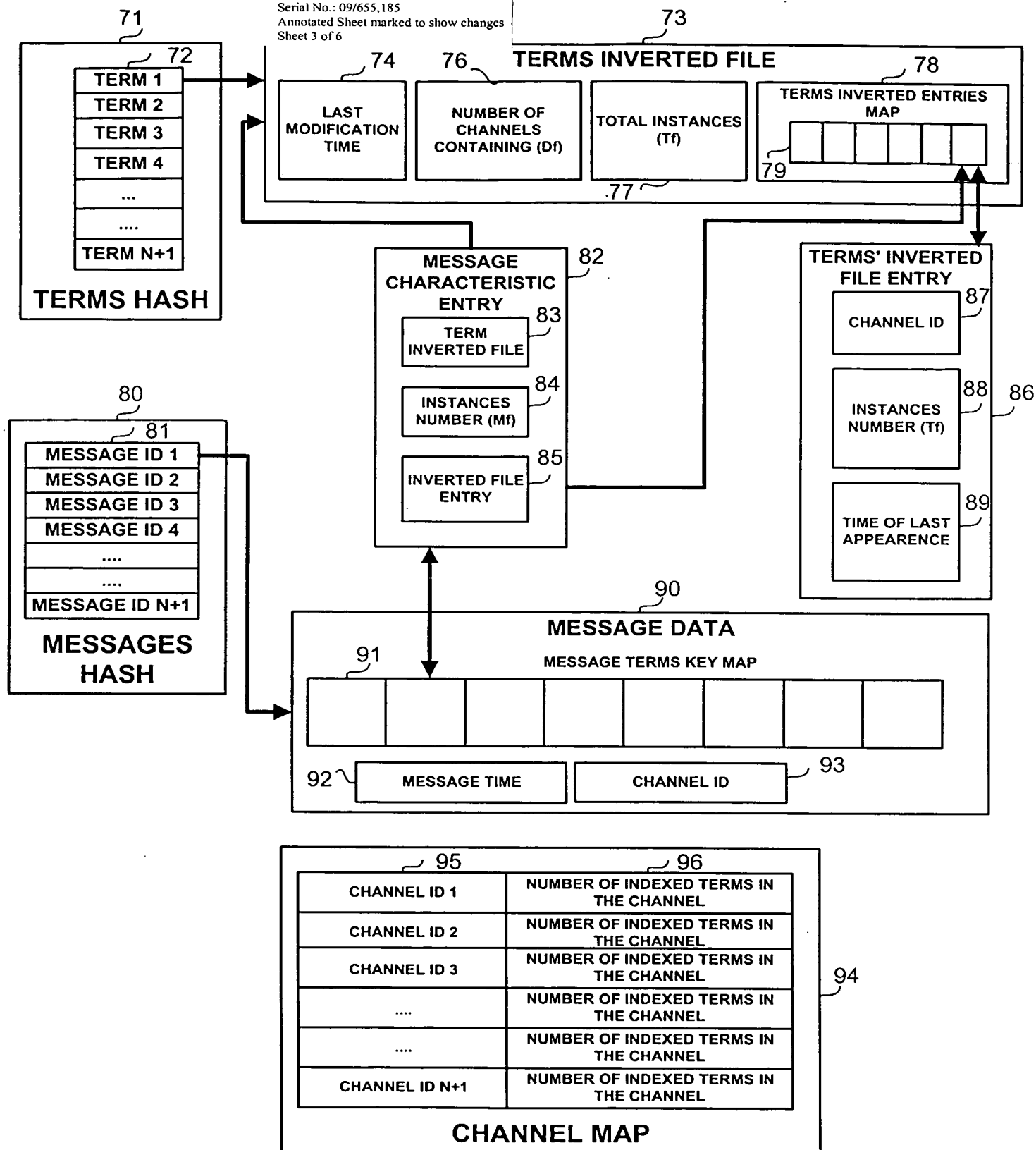

Gregory A. Sebold
Reg. No. 33,280
GAS/JEL:sll





SEARCH ENGINE

FIG. 2



THE TERMS INDEX
 FIG. 3



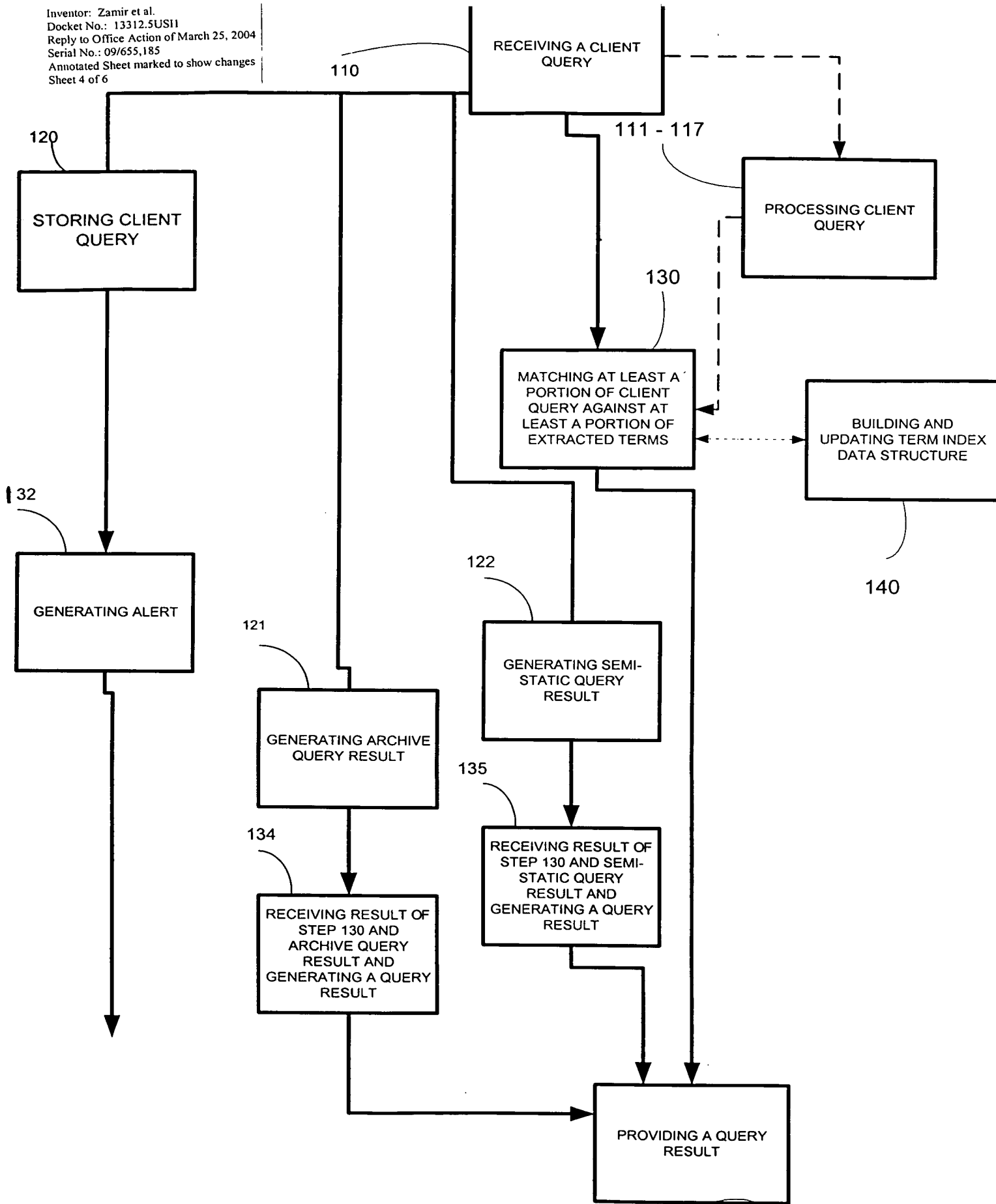
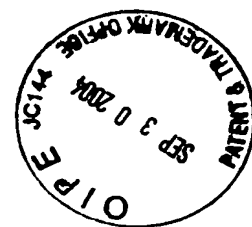


FIG. 4



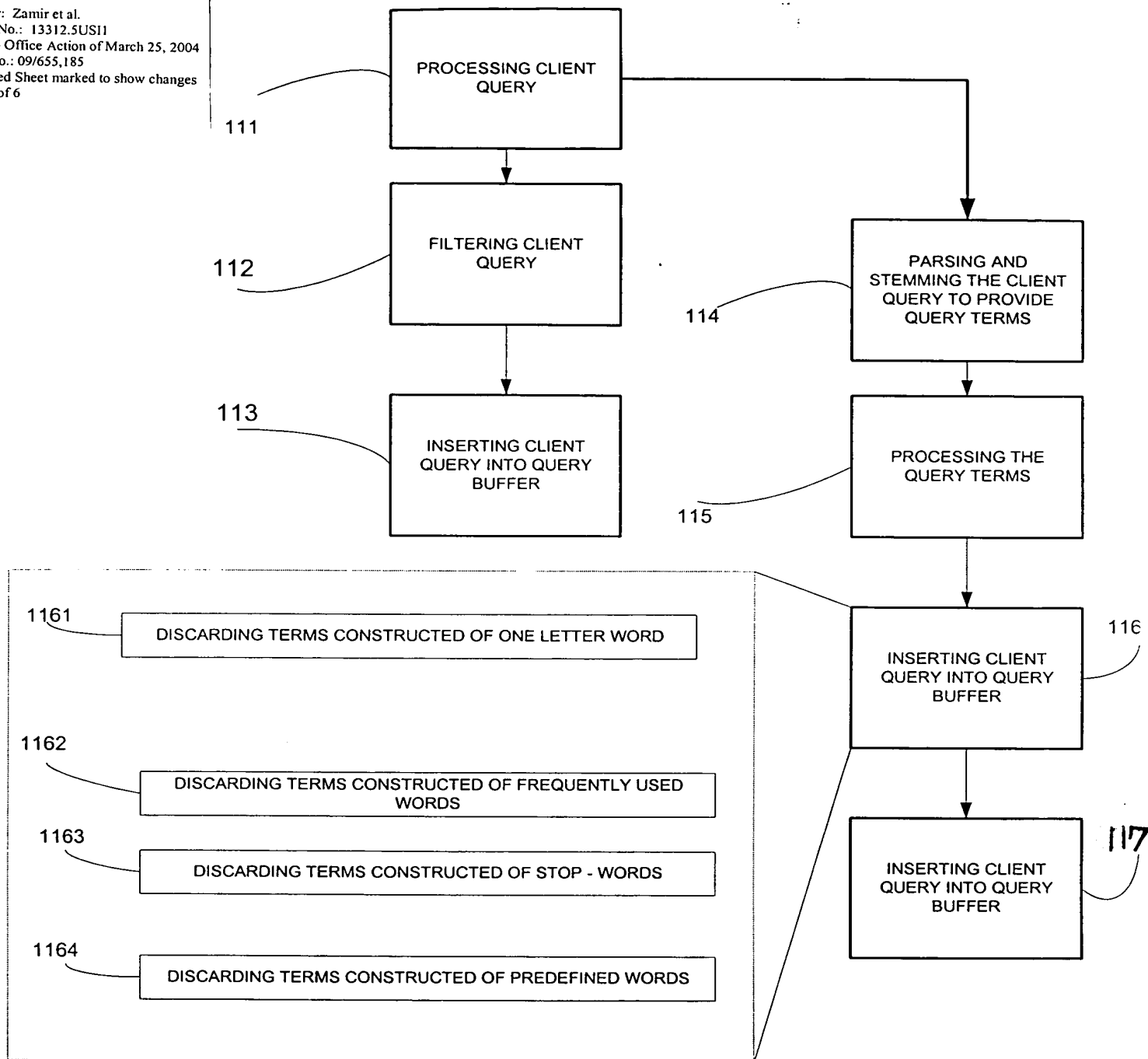


FIG. 5

